IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN
AT JAIPUR BENCH, JAIPUR

O R D E R

S.B. CRIMINAL REVISION PETITION NO. 217/2007

SATTO @ SATYADEV Vs. STATE OF RAJASTHAN

DATE: 19.03.2007.

HON'BLE MR. K.S. RATHORE, J.

Mr. Anil Jain for the accused-petitioner.
Mr. Ashwini Kr. Sharma, P.P. for the State.

****

The present criminal revision petition under Section 397 r/w Section 401 Cr.P.C. r/w Section 53 of the Juvenile Justice (Care & Protection of Children) Act, 2000 is preferred by the accused-petitioner against the order dated 21.02.2007 passed by the Additional District & Sessions Judge (Fast Track) No.2, Dholpur in Sessions Case No. 150/2006, whereby the Court below has dismissed the application to declare the petitioner as juvenile.

Having heard rival submissions of the respective parties and after going through the impugned order dated 21.02.2007 passed by the Court below, to resolve the controversy with regard to the age of the accused-petitioner whether he is juvenile or not, in the interest of justice, I deem it proper to observe

that the Medical Board be constituted for examination of the petitioner to ascertain his correct age at the time of the alleged incident and after obtaining the report, the Additional Sessions Judge (Fast Track) No.2, Dholpur shall consider the application and request of the petitioner to declare him juvenile afresh absolutely in accordance with the medical report.

With these observations, the impugned order dated 21.02.2007 passed by the Additional Sessions Judge (Fast Track) No.2, DhOlpur is herewith quashed and set-aside and the matter is remanded back to the Court below with the aforesaid observations,

the revision petition stands disposed of.

(K.S. RATHORE),J.

/KKC/